



Downtown Muskegon Business Improvement District

Meeting Agenda

May 22, 2018

380 Western Ave., Suite 202 Muskegon, MI at 4 PM

- 1) Call to Order
- 2) Consent Agenda
 - a) Approval of Agenda
 - b) Approval of Minutes from the meeting March 27, 2018
 - c) Acceptance of financial statements as of April 30, 2018
- 3) Public Comment (on an agenda item)
- 4) New Business
 - a) Update on Michigan Tax Tribunal appeal hearings
 - b) Ginman Tire and Reliable Towing services consideration
 - c) Summer planter update
 - d) Downtown Muskegon Now strategic plan
- 5) Other Business
 - a) 2018 summer events line up
 - b) Next meeting is Tuesday July 24, 2018 4 p.m. chamber training room, 380 W. Western Ave. Suite 202, Muskegon, MI or at the call of the chair.
- 6) Adjournment

To: Business Improvement District Board
From: Dave Alexander, DMN executive director
Re: Agenda notes for May 22, 2018 meeting
Date: May 18, 2018



Our BID board meeting is **Tuesday May 22, 2018** at 4 p.m. in the chamber training room, 380 W. Western, Suite 202. Here is some background and comments on the agenda items:

Financial report: (report to come)

MTT update (Ginman/Reliable considerations): The Michigan Tax Tribunal had hearings on Thursday May 10 at Muskegon Township Hall on 12 properties representing four land owners. Each was appealed. I was representing the BID along with the city assessor David Becker.

The four property owners are listed in the spreadsheet in the agenda packet. Each one had multiple properties but each owner consolidated their cases before the administrative hearing officer of the Michigan Tax Tribunal. All of the appeals were for the entire three-year assessment, 2018-2020. The final decision can be from current assessment stands to no assessment at all, or anything in between.

The major issue was direct benefits from the BID vs. the assessments. All four properties are on the far east and west ends of the BID which makes direct benefits problematic. I was mainly left with the current rising tide downtown is raising all properties so increasing land values was the best argument. I don't know if indirect benefit is even a legal argument under Michigan case law.

The hearings for Maureen Boelkins (NW Mill/America) and EJE Properties LLC – commercially zoned A properties -- concluded with the process continuing through the MTT. The only change was a reduction of EJE's to \$4,000 as final property consolidations under that owner created a \$4,000 cap under BID assessment rules. The hearing officer in the coming weeks will offer a proposed opinion and judgment and when filed there is a 14-day response period. The judgment will eventually be filed with the tribunal for a final decision. The process will take months rather than weeks.

The hearings for Reliable Towing and WWG Holdings LLC (Ginman Tire) were settled during the course of the hearing. I had some direct benefit to argue with Boelkins and EJE along Pine Street in terms of sidewalk snow removal and planters.

However with Ginman and Reliable, I had nothing. They are all industrially zoned properties with commercial businesses. I offered moving them to a B property because the BID bylaws say: "Class B Properties are "currently used for **or zoned for** industrial or manufacturing." Both

parties agreed to reclassifying B. I believe we would have lost all of the Reliable and Ginman properties from the BID so we retained \$1,670 a year for Reliable and capped at \$2,000 a year for Ginman. I didn't have that option for the Boelkins and EJE properties because they are commercial businesses on commercially zoned land.

The other request from Reliable and Ginman was to request specific BID services for those properties. I told them I represented the BID board which has the ability to provide specific services but I couldn't make such promises. I only promised to raise the issue with the BID board going forward, which satisfied both owners.

Summer planters: We need to make decisions in the coming days as to where we want planters this summer. I have included a map of current locations. We can move some to Terrace and Clay as discussed earlier. I had the dress shop in the Heritage Square Commons request a planter on the east side of Second Street between Western and Clay. And, the city DPW would like to slow traffic on Houston by placing three planters in the center of the Houston and Fifth Street intersection. This is outside of the BID.

DMN strategic plan draft: Doug Pollock, Gary Post, John Riegler, Frank Peterson and myself participated in the DMN strategic planning session for the agency and downtown in April. The DMN board will consider a strategic plan approval at its June meeting. Some BID and DDA members attended at the request of the city. I have included a draft summary of the major conclusions for possible BID board discussion.

Summer events: Elizabeth Tibbe will present the impressive list of main downtown events for this summer and we are available for questions.

Downtown Muskegon Business Improvement District

Meeting Minutes

Jan. 23, 2018

380 Western Ave., Suite 202 Muskegon, MI at 4 PM

1) Call to Order: 4:02 PM

Attendance: Clyde Whitehouse, Bob Tarrant, Gary Post (Vice Chairman), Mike Hennessy, Bruce Lindstrom and Frank Peterson

Excused Absent(s): Phyllis Watson-Laudermill, Doug Pollock (Chairman), John Riegler.

Guests: Dave Alexander, Downtown Muskegon Now director, Elizabeth Tibbe, DMN marketing and events, LeighAnn Mikesell, city DPW, and Dennis Lohman, Northwestern Industrial Sales.

2) Dave Alexander introduced Elizabeth Tibbe the new Downtown Muskegon part-time employee managing marketing, promotion and events.

3) Consent Agenda

- a) Approval of Agenda, minutes Jan. 23, 2018, and acceptance of the financial statements as of Feb. 28, 2018.

Motion: Bruce Lindstrom

Support: Clyde Whitehouse

Vote: All voted in favor

4) Public Comment (on an agenda item) – The board chose to leave the floor open for the whole meeting allowing attendees to participate as they like.

5) New Business

- a) Dave Alexander presented a landscaping agreement with the city of Muskegon Department of Public Works. That is very similar to 2017 agreement with the city. The city fee on a time and material basis for the season is not to exceed \$20,000, which mirrors the eventual BID payment for those services in 2017. LeighAnn Mikesell introduced herself as the new city community services director and head of the DPW. She answered questions of the board.

Motion for approval: Frank Peterson

Support: Mike Hennessy

Vote: All voted in favor

- b) Dave Alexander brought the proposed planter services agreement to the BID board, again from Barry's Flower Shop & Greenhouse, the same vendor as the BID had in 2017. Full service on the 61 planters from planting, watering, maintenance to removal was offered at \$10,345, an increase of 5 percent from 2017. The city had asked for expanded planters at the Western Market for an additional eight with the larger market in 2018. It was agreed to provide planter services downtown for 2018 at a cost not to exceed \$11,600.

Motion: Mike Hennessy

Support: Bruce Lindstrom

Vote: All voted in favor

- c) Dave Alexander explained DMN's work on the Live Downtown Muskegon initiative launched at the chamber's Home and Garden Show in early March.
- d) Dave Alexander explained the interest among some in downtown to create a district in which alcoholic beverages could be consumed outside. Such a Social District operates in some Ohio communities such as Canton where they are called Designated Outdoor Refreshment Districts and is operated by the city's BID. Such a district is not allowed under Michigan law. However, new legislation allowing for Social (drinking) Districts is expected to be introduced as a new law in the Michigan Legislature. DMN's board already has endorsed the concept and city officials are interested in investigating a Social District for downtown if such a provision becomes law. Dave said he will keep the board updated on any legislative progress.

6) Other Business

- a) Dave Alexander explained the hiatus of First Fridays due to lack of interest in the winter months, a lack of sponsorship support and the change of staff at DMN. The concept will be explored and might be resurrected for the summer months. The future of the First Friday concept needs to be addressed for 2019 and beyond.

7) Adjournment

4:50 PM

No Objection

Minutes produced and submitted by Dave Alexander, executive director of Downtown Muskegon Now.

BID financial
reports as of
April 30, 2018
to come

BID ASSESSMENT DISTRICT - MTT APPEAL VALUATIONS								
PARCEL NUMBER	PROPERTY ADDRESS	OWNERS NAME	DOCKET#	2017 BID ASSESSMENT	2018 BID ASSESSMENT	INCREASE	STIPULATION	SETTLEMENT
24-205-177-0007-00	820 PINE ST.	NW MILL REAL ESTATE LLC	17-004901	\$ 522.72	\$ 2,090.88	\$ 1,568.16		
24-205-176-0012-00	66 W. WEBSTER AVE.	NW AMERICA REAL ESTATE LLC	17-004902	\$ 113.52	\$ 454.08	\$ 340.56		
24-205-176-0013-00	821 PINE ST.	NW AMERICA REAL ESTATE LLC	17-004903	\$ 27.72	\$ 110.88	\$ 83.16		
24-205-176-0015-00	813 PINE ST.	NW AMERICA REAL ESTATE LLC	17-004904	\$ 91.08	\$ 364.32	\$ 273.24		
24-205-177-0004-00	43 W. CLAY AVE.	NW MILL REAL ESTATE LLC	17-004905	\$ -	\$ 696.96	\$ 696.96		
24-205-321-0007-00	1288 9TH ST.	RELIABLE TOWING INC	17-004987	\$ 750.00	\$ 3,340.64	\$ 2,591		\$1,670.32
24-205-321-0012-00	1237 8TH ST.	WWG HOLDINGS LLC-GINMAN TIRE	17-004988	\$ 268.00	\$ 1,072.00	\$ 804		\$422^
24-205-321-0004-00	699 W. CLAY AVE.	WWG HOLDINGS LLC-GINMAN TIRE	17-004988	\$ 195.60	\$ 1,782.40	\$ 1,587		\$702^
24-205-321-0001-00	665 W. CLAY AVE.	WWG HOLDINGS LLC-GINMAN TIRE	17-004988	\$ 554.40	\$ 2,217.60	\$ 1,663.20		\$876^
24-205-186-0025-00	805 SPRING ST.	EJE PROPERTIES LLC	17-004989	\$ -	\$ 487.87	\$ 487.87	\$364*	
24-205-186-0009-00	860 PINE ST.	EJE PROPERTIES LLC	17-004990	\$ 320.90	\$ 1,283.60	\$ 962.70	\$960*	
24-205-186-0001-00	9 E. WEBSTER AVE.	EJE PROPERTIES LLC	17-004991	\$ -	\$ 3,589.34	\$ 3,589.34	\$2,676*	
		TOTALS		\$ 2,843.94	\$ 17,490.57	\$ 14,646.63		
* capped at \$4,000 ^ capped at \$2,000								

Dave Alexander

From: dawn barry <barrysonline@yahoo.com>
Sent: Friday, March 9, 2018 10:10 AM
To: Dave Alexander
Subject: Re: Downtown planters for 2018

Hi Dave,
Sorry I've been swamped too! For this year, I would like to propose a total of \$10,354.00. to include the flowers, amending the soil, planting, maintenance and watering all summer and fall. Let me know what you think.
thank you,
Dawn Barry

Barry's Flower Shop & Greenhouses

3000 Whitehall Rd. Muskegon, MI 49445

231-766-3031

fax: 231-766-3902

www.barrysgreenhouse.com

On Wednesday, February 28, 2018 04:13:11 PM EST, Dave Alexander <DAlexander@downtownmuskegon.org> wrote:

Dawn, good late winter to you:

The Downtown Business Improvement District Board was very pleased with your company's downtown planter services for 2017. We would like to contract with Barry's Flowers again for 2018. I have attached last year's agreement and planter map. There have been and will be a few more location changes but the overall number of planters should be the same.

Can we talk some time the week of March 12 to come to an agreement on 2018? I am very busy until then. I would like to have a deal settled by the next BID board meeting March 27. If you have any questions or concerns prior to that please call me or email me.

In advance, thanks for considering downtown again in 2018. Have a great evening.

2018 Downtown Planter Map



KEY:

- BID District
- BID planters in downtown (there are 27)
- Tin planters on Western (there are 34)
- Future areas

Downtown Muskegon Now

3-year Strategic Plan

April 2018

Here is a summary of the planning session's conclusions and outcomes (yet to be finalized by the DMN board):

Downtown geography/DMN Scope:

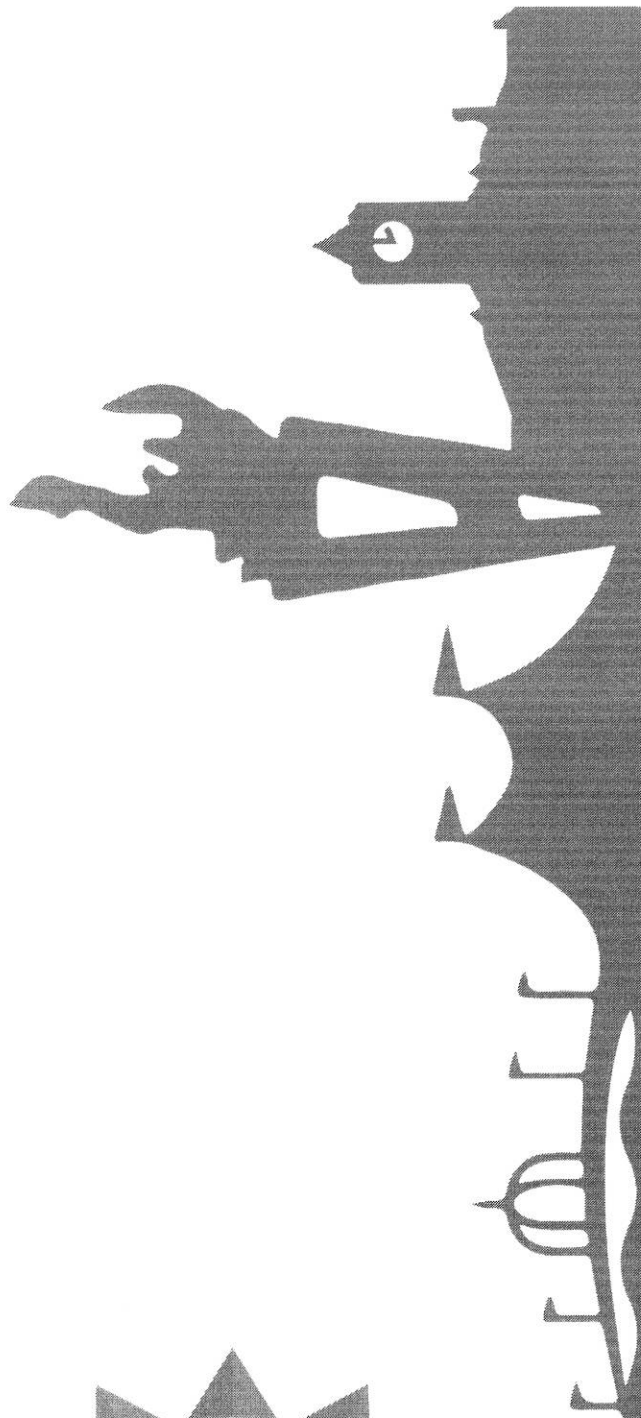
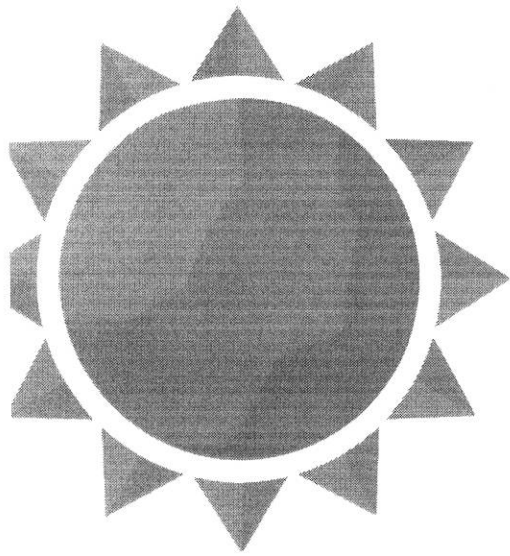
- Downtown should be defined by the DDA map.
- Program funds and most all DMN staff resources should be limited to the DDA boundaries.
- DMN should be the organization that brings together not only downtown interests but provides the downtown's connection to the urban neighborhoods, future waterfront developments and the overall Muskegon Lakeshore community.

DMN's top priorities:

- Connect Downtown Muskegon to the waterfront
- Produce a comprehensive marketing plan to determine DMN's target market and message
- Promote Downtown Muskegon as a place to live

DMN's sustainability:

- DMN should put itself in the position to provide staff services to the DDA.
- Moving forward, one organization needs to manage and oversee downtown efforts; DMN is in the best position to provide leadership and staff services in an independent and cost-effective way.
- DMN's strength is being an independent, non-profit agency that can best meet the needs of both the city and private sector.
- DMN should continue its ongoing association with the chamber for office space rental and to serve as the agency's employer of record.



DOWNTOWN MUSKEGON SUMMER EVENTS SCHEDULE

Port City Criterium: May 6

All Dogs go to Heaven run: May 26

Cole's 75th anniversary: May 26

Parties in the Park: Friday evenings June-August

Miss Michigan Pageant: June 12-16

Taste of Muskegon: June 15-16

Mercy Health Seaway Run: June 22-23

Food Truck Rallies: June 27, July 18 and Aug. 1

Muskegon Rockstock: July 3-4

Chalk the Walk: July 6

Lakeshore Art Festival: July 6-7

Muskegon Bike Time/Rebel Road: July 18-22

Street Performers: Aug. 3

Unity Christian Music Festival: Aug. 8-11

Moosefest: Aug. 18

Shoreline Jazz Festival: Aug. 24-26

Polish Festival: Aug. 31-Sept. 1

Labor Day Parade: Sept. 3

Touch the Trucks: Sept. 7

Michigan Irish Music Festival: Sept. 13-16

Muskegon Harvest Fest: Sept. 22